

Amendment No. 1 to HB1777

Matheny
Signature of Sponsor

AMEND Senate Bill No. 2000

House Bill No. 1777*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-102(13)(B) is amended by deleting the word "and" following the semicolon at the end of the subdivision.

SECTION 2. Tennessee Code Annotated, Section 50-6-102(13)(C) is amended by adding the word "and" following the semicolon at the end of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 50-6-102(13) is amended by adding the following language as a new subdivision:

(D) For injuries occurring on or after July 1, 2009, the maximum total benefit shall be four hundred (400) times one hundred percent (100%) of the state's average weekly wage, as determined pursuant to subdivision (14)(B), except in instances of permanent total disability. Temporary total disability benefits paid to the injured worker shall not be included in calculating the maximum total benefit.

SECTION 4. Tennessee Code Annotated, Section 50-6-207(1), is amended by adding the following language as a new subdivision (D):

(D) An employee claiming a mental injury as defined by § 50-6-102(15) occurring on or after July 1, 2009, shall be conclusively presumed to be at maximum medical improvement upon the earliest occurrence of the following:

(i) At the time the treating psychiatrist concludes the employee has reached maximum medical improvement;

(ii) One hundred four (104) weeks after the employee has reached maximum medical improvement as a result of the physical injury or illness that is the proximate cause of the mental injury; or

(iii) One hundred four (104) weeks after the date of injury in the case of mental injuries where there is no underlying physical injury.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.